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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Papers in This Submission **One** Attorney Docket Number **WYTH0039-101 (AM100787 D1)**

ENCLOSURES (check all that apply)

| | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Notice of Non-Compliant Amendment mailed July 22, 2005 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks EXPRESS MAIL LABEL NO.: EV146 601 273US DATE OF DEPOSIT: August 8, 2005 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|----------------------|----------|--------|
| Firm | Cozen O'Connor, P.C. | | |
| Signature | | | |
| Printed Name | Michael A. Patané | | |
| Date | August 8, 2005 | Reg. No. | 42,982 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited, via Express Mail Service, with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

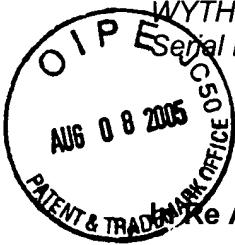
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|-----------------------|-------------------|
| Signature | |
| Typed or printed name | Michael A. Patané |
| | Date |
| | August 8, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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WYTH0039-101 (AM100787 D1)
Serial No. 10/828,970

August 8, 2005 Response to
July 22, 2005 Notice of Non-Compliant Amendment



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Christopher P. Miller et al.

Confirmation No.: 5396

Serial No.: 10/828,970

Art Unit No.: 1625

Filing Date: April 21, 2004

Examiner: Bernard I. Dentz

For: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

Customer No.: 35139

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

VIA EXPRESS MAIL LABEL NO: EV146 601 273US

DATE SENT: August 8, 2005

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. § 1.121)
DATED JULY 22, 2005

Sir:

In response to the Notice of Non-Compliant Amendment (37 C.F.R. § 1.121) date mailed on July 22, 2005, please amend the above-identified application as follows.:

a **Listing of the Claims**, reflecting current status of the claims, beginning on page 2 of this paper; and

Remarks beginning on page 20 of this paper.